	YEAR		CALIFORNIA FORM			
1	9 Nonresident Withholding Insta	allment Sale Agreement	597-C			
Att	ach this form to the back of Form 597-A.					
_	rt   To be completed for an installment sale.					
Nar	ne of transferor/seller	Social security number FEIN	_			
Nor	me of transferee/buyer	Social security number FEIN				
INai	ne or transferee/buyer	Social security fluriber				
Add	dress of California real estate being sold	Adjusted basis of California real estate being so	ld			
Tra	ansferor/Seller Agreement	<b>_</b>				
	a condition to allow a modification to the withholding requiremen ction 18662, the transferor/seller agrees to do the following:	nts under California Revenue and Taxation	Code (R&TC)			
1.	File California tax returns for the year of sale and any year in which principal payments are received on the note;					
2.	Make estimated tax payments that reflect the tax due on principal payments received; and					
3.	Notify the Franchise Tax Board (FTB), Withhold-at-Source Sect	tion, of any final payment or disposition of	the note.			
	cluding penalties and interest) and to enforce collection through, te held by the buyer or any other funds identified by the FTB.	but not limited to, the use of orders to with	shold, liens, etc., on the			
Sig	nature of transferor/seller		Date			
Sig	nature of transferor/seller		Date			
_	eneral Information	Mithous in second those one to	and and a second			
_		If there is more than one tr transferor/seller must sign to				
Wł	nen and Where to File This Form	_	•			
	Form 597-C, Nonresident Withholding Installment Sale Agreement, should be included with	To expedite processing you of the installment note with				
	Form 597-A, Nonresident Withholding Waiver Request for Real Estate Sales, when a seller requests a reduced withholding amount or waiver	Send completed Form 597- copy of the installment note				
	based on the fact that the transfer is intended to be an installment sale or an exchange transaction with installment provisions.	WITHHOLD-AT-SOURC FRANCHISE TAX BOAF PO BOX 651 SACRAMENTO CA 958	RD			
	For an installment sale of real estate, the transferor(s)/seller(s) must complete and sign Part I.	TELEPHONE (916) 845 FAX (916) 845-4831	-4900			
	For an installment sale of real estate, the transferor(s)/seller(s) must complete and sign Part I.  For an IRC Section 1031 exchange of real estate with an installment provision, the transferor(s)/seller(s) and intermediary must complete and sign					

For Privacy Act Notice, see form FTB 1131 (Individuals only).

Part II.

Part II To be completed for an Internal Revenue Code (IRC) Section 1031 exc	change with an installment provision.				
Name of transferor/seller	Social security number FEIN				
Name of transferee/buyer	Social security number FEIN				
	1     +   +           +				
Name and address of intermediary	Daytime telephone number of intermediary  ( )				
Address of California real estate being sold	Adjusted basis of California real estate being sold				
Address or location of replacement real estate					

## Transferor/Seller and Intermediary Agreement

The undersigned transferor/seller of the California real estate listed above hereby certifies, under penalty of perjury, that it is the intent of the transferor to treat the transfer of this property as the first leg in an IRC Section 1031 exchange.

The parties agree that:

- 1. If the exchange takes place, and the transferor (or beneficiary) receives cash or cash equivalent as not like-kind property in the exchange, and such cash or cash equivalent exceeds \$1,500, then the amount required to be withheld will be 7% of any cash or cash equivalent received by the transferor (or beneficiary) not to exceed 31/2% of the total sales price; or
- 2. If the exchange does not take place, then the amount required to be withheld will be 31/3% of the total sales price of the property.

The transferor/seller further agrees that a California tax return will be filed reporting the transaction, and that the FTB, Withhold-at-Source Section will be notified within 10 days after expiration of the 180-day statutory period applicable to IRC Section 1031 exchanges if the exchange does not take place.

The transferor/seller further agrees to do the following:

- 1. File California tax returns for the year of sale and any year in which principal payments are received on the note;
- 2. Make estimated tax payments that reflect the tax due on principal payments received; and
- 3. Notify the FTB, Withhold-at-Source Section, of any final payment or disposition of the note.

The intermediary or other entity in control of the funds agrees to be liable for withholding the correct amount specified above. The intermediary or other entity in control of the funds agrees to remit all withheld amounts to the FTB using Copy A of Form 597, Nonresident Withholding Tax Statement for Real Estate Sales. Get Form 597 for information on remitting the amount withheld.

Signature of transferor/seller			Date
Signature of transferor/seller			Date
Signature of intermediary	Date	Title	